

UNITED STATES OF AMERICA
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 1:24-cv-00872

v.

Hon.
United States District Judge

RESOURCE MANUFACTURING
SOLUTIONS, LLC, AND
JAMES FRANKLIN EVANS, JR.,

Defendants.

/

COMPLAINT

The Plaintiff United States of America, for the United States Department of the Treasury, Bureau of the Fiscal Service, Disbursement and Debt Management acting on behalf of the United States Small Business Administration states the following:

1. This is a civil action brought on behalf of the United States of America and the Court has jurisdiction over this action by virtue of 28 U.S.C. § 1345.
2. Defendant Resource Manufacturing Solutions, LLC has its principal place of business is in the County of Muskegon, within the jurisdiction of this Court.
3. James Franklin Evans, Jr., resides in the County of Muskegon, within the jurisdiction of this Court.
4. On or about March 29, 2018, the United States Small Business Administration made a loan in the amount of \$250,000.00 to Resource Manufacturing Solutions, LLC and James Franklin Evans, Jr. A copy of the Promissory Note executed by James Evans is attached hereto as Exhibit 1.

5. On or about March 29, 2018, James Franklin Evans, Jr. signed the Guaranty and Security Agreement which makes him liable for the debt. A copy of the Guaranty and Security Agreement is attached as Exhibit 2.

6. On December 5, 2018, Defendants, Resource Manufacturing Solutions, LLC and James Franklin Evans, Jr. became delinquent and defaulted on the payment of the loan.

7. As of August 20, 2024, Defendants, Resource Manufacturing Solutions, LLC, and James Franklin Evans, Jr. were indebted to the United States in the amount of \$383,850.35, as evidenced by the Certificate of Indebtedness, attached as Exhibit 3, and incorporated herein.

8. Due demand has been made for payment and Resource Manufacturing Solutions, LLC and James Franklin Evans, Jr. has failed to pay this indebtedness.

9. This amount is a debt to the United States as defined in the Federal Debt Collection Procedures Act of 1990, 28 U.S.C. §§ 3001-3308. See 28. U.S.C. § 3002(3)(B).

WHEREFORE, the United States of America demands judgment against Defendants, Resource Manufacturing Solutions, LLC and James Franklin Evans Jr., as follows:

- a. In the amount of \$383,850.35 comprised of \$240,439.57 principal, \$41,632.28 interest accrued through August 20, 2024, and administrative fees of \$101,778.50;
- b. Interest to accrue at the rate of 8% per annum from August 21, 2024 to date of judgment.
- c. Interest from the date of judgment at the legal rate in effect on the date of judgment until paid in full;

- d. Filing fees of \$405.00, 28 U.S.C. § 2412(a)(2); and
- e. For such other relief as this Court may deem just.

Respectfully submitted,

MARK A. TOTTEN
United States Attorney

Date: August 27, 2024

/s/Meagan D. Johnson

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